

**Patent**

**Attorney Docket No.: 12553/130**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Naoto MATONO  
SERIAL NO. : 10/802,596  
FILING DATE : March 16, 2004  
FOR : A METHOD FOR MANUFACTURING  
A MAGNETIC HEAD  
ART UNIT : 3729  
EXAMINER : Anthony D. TUGBANG

M/S: APPEAL BRIEF – PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: Board of Patent Appeals and Interferences**

**RESPONSE TO NON-COMPLIANT APPEAL BRIEF**  
**UNDER 37 CFR § 41.37**

Dear Sir:

This brief is in furtherance of the Notice of Appeal, filed in this case on September 15, 2008 and an Appeal Brief filed on November 17, 2008.

As per the Notification of Non-Compliant Appeal Brief dated December 8, 2008, Appellants include only corrected sections of the Appeal Brief. In the Appeal Brief filed November 17, 2008 please replace Section 3 – Status of the Claims, with the following:

**3. STATUS OF THE CLAIMS**

Claims 9-15 are pending, rejected, and on appeal. Claims 1-8, 12 and 16-24 were previously cancelled without prejudice or disclaimer. No claims are withdrawn, objected to, or allowed. No amendments to the claims were made after the Final Office Action of May 16, 2008.

The claims in their current form (including those claims under appeal) are presented in The Appendix – Section 8 – Claims on Appeal.

Appellants therefore respectfully request that the Board of Patent Appeals and Interferences reverse the Examiner's decision rejecting claims 9-16 and direct the Examiner to pass the case to issue.

The Examiner is hereby authorized to charge any additional fees which may be necessary for consideration of this paper to Kenyon & Kenyon Deposit Account No. **11-0600**.

Respectfully submitted,  
KENYON & KENYON LLP

Date: January 8, 2009

By: /Sumit Bhattacharya/  
Sumit Bhattacharya  
(Reg. No. 51,469)

KENYON & KENYON LLP  
333 West San Carlos St., Suite 600  
San Jose, CA 95110  
Telephone: (408) 975-7500  
Facsimile: (408) 975-7501